

REMARKS

This is in response to the Office Action mailed January 2, 2008. In the Office Action, all claims 1-24 were pending and finally rejected. With this amendment, claims 1 and 14 are amended; claims 9-11, 15, 23 and 24 are canceled; and the remaining claims are unchanged in the application.

As an initial matter, Applicant respectfully submits that the finality of the Office Action mailed January 2, 2008 is improper. In this regard, Applicant respectfully notes that Section 706.07(a) of The Manual of Patent Examining Procedure deals with the propriety of final rejections on a second action. Specifically, that section indicates,

“Under present practice, second or any subsequent actions on the merits shall be final, except where the Examiner introduces a new ground of rejection that is neither necessitated by Applicant’s amendment of the claims nor based on information submitted in an Information Disclosure Statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p).” (Emphasis supplied).

With that in mind, Applicant respectfully notes that independent claim 24 was not amended in Applicant’s amendment of October 2, 2007. Notwithstanding that fact, Section Two of the Final Office Action indicates a new ground of rejection levied against independent claim 24. Specifically, unamended independent claim 24 is now rejected under 35 U.S.C. §103(a) as being unpatentable over Sonera (Web Services White Paper) in view of Flurry et al. (U.S. Patent 7,188,15, hereinafter Flurry) and further in view of Chan et al. (U.S. Publication 2007/0226098 A1, hereinafter Chan). Accordingly, Applicant respectfully submits that the finality of the Office Action mailed January 2, 2008 was improper in view of the application of §706.07(a) of The Manual Patent Examining Procedure based upon unamended independent claim 24. Accordingly, Applicant respectfully requests that the finality of that Office Action be withdrawn and the amendments made herein be entered.

Section Two of the Office Action indicated that independent claim 1, among others, was rejected under 35 U.S.C. §103(a) as being unpatentable over Sonera in view of Flurry and further in view of Chan.

Applicant has amended independent claim 1 in order to better distinguish that claim from the art of record. Specifically, independent claim 1 has been amended to recite the

subject matter previously recited in dependent claim 9 (which is now canceled) as well as dependent claim 10 (which is now canceled) and further to provide the feature relative to the standard messaging between the first and second stand-alone business software applications wherein the first and second stand-alone business software applications interact with the model-driven bus in the form of a publisher/subscriber model. Applicant respectfully submits that support for this feature can be found, at least, on page 18, lines 22-24 of Applicant's specification. By virtue of the inclusion of the subject matter of dependent claim 9 into amended independent claim 1, Applicant respectfully believes that the rejection set forth in claim 2 of the Office Action has been overcome. Accordingly, Applicant now turns to Section Five of the Office Action which was directed to the subject matter previously recited in dependent claim 9. With respect to that subject matter, Applicant respectfully notes that the Office Action further included the Scardamalia et al. reference (U.S. Patent 6,295,571 B1, hereinafter Scardamalia). Applicant respectfully notes that the Office Action asserted that Scardamalia allegedly provides the feature of a first business software component capability that overlaps at least one capability of the second business software component, wherein the model-driven bus provides arbitration such that only one of the first and second business software components provides the overlapping function. The alleged overlapping functions, as set forth in Section Five of the Office Action of Scardamalia are read and write operations. Scardamalia is actually directed to secured memory apparatus for multi-processor systems. Applicant respectfully submits that the overlapping read and write operations, cited in column 13 of Scardamalia, are read and write operations from different processors. There is no indication that these alleged overlapping functions come from first and second business software applications. Respectfully, the only thing Scardamalia has in common with the subject matter previously recited in dependent claim 9 is the recitation of the word "overlapping." Thus, not only does Applicant respectfully submit that Scardamalia does not actually provide the subject matter which the Office Action alleges, Applicant further submits that one skilled in the art, faced with: the Sonera Web Services White Paper; the teachings of Flurry providing an apparatus and method for selecting a web service in response to a request from a client device; as well as the voluminous financial services data model of Chan, and the shared memory apparatus and method for multi-processor systems of Scardamalia would exercise nothing short of genius in arriving at the subject matter previously recited in dependent

claim 9. However, amended claim 1 does not stop there. Additionally, amended claim 1 additionally requires that provision of standardized messaging between the first and second stand-alone business software applications. Further still, amended independent claim 1 also requires that the first and second stand-alone business software applications interact with the model-driven bus in the form of a publisher/subscriber model. Applicant respectfully submits that all of these features are simply not taught or suggested in the ambitiously hypothetical combination of Sonera/Flurry/Chan/Scardamalia. Therefore, Applicant respectfully submits that amended independent claim 1 is allowable. Further, Applicant respectfully submits that dependent claims 2-8 and 12 and 13 are allowable as well by virtue of their dependency, either directly or indirectly, from allowable amended independent claim 1.

Independent claim 14 was rejected in Section Two of the Office Action under 35 U.S.C. §103(a) as being unpatentable over Sonera in view of Flurry and further in view of Chan. In response, Applicant has amended independent claim 14 similarly to independent claim 1, and respectfully believes it to be allowable based upon the telephonic interview.

Independent claims 23 and 24 have been canceled.

In conclusion, Applicant respectfully submits that the entire application is now in condition for allowance. Reconsideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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